

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

## CIVIL MINUTES - GENERAL

Case No. 8:24-cv-02184-SVW

Date February 19, 2025

Title *Ameris Bank et al v. D and M Truck and Tire Repair LLC*

Present: The Honorable

STEPHEN V. WILSON, U.S. DISTRICT JUDGE

Paul M. Cruz

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

**Proceedings:** IN CHAMBERS ORDER DISMISSING PLAINTIFF'S CASE FOR LACK OF PROSECUTION

On October 8, 2024, Plaintiff Ameris Bank brought breach of contract claims against Defendants D and M Truck and Tire Repair LLC and Jeremy Oneil. ECF No. 1. After filing a complaint, plaintiffs have 90 days to serve the summons and complaint upon all defendants. Fed. R. Civ. P. 4(m). As of January 8, 2025, ninety days after Plaintiff filed its complaint in this case, Plaintiff still had not served Defendants. Accordingly, the Court issued an order to show cause why the Court should not dismiss the case for lack of prosecution. ECF No. 10. In that order, the Court gave Plaintiff eight days to respond. Defendant responded with proof that they had attempted, albeit unsuccessfully, to serve Defendants. ECF No. 11. The Court, in recognition of Plaintiff's effort to serve Defendants, granted it 30 extra days, or until February 15, 2025, to effectuate service. As of February 15, 2025, however, Plaintiff has still failed to serve Defendants. The Court accordingly orders the case dismissed.

**IT IS SO ORDERED.**

Initials of Preparer

PMC